

CHAPTER 259  
FIRE FIGHTER TRAINING AND EQUIPMENT FUNDS

[Prior to 1/5/05, see 661—Ch 55]

**661—259.1 to 259.100** Reserved.

DIVISION I  
VOLUNTEER FIRE FIGHTER TRAINING AND EQUIPMENT FUND

**661—259.101(17A,77GA,ch1222) Establishment of fund.** There is established in the fire marshal division the volunteer fire fighter training and equipment fund. The fund, to the extent of appropriations made available in each state fiscal year, shall provide support for the training and equipment needs of volunteer fire fighters. Funding is available to individual fire departments for equipment and to organizations or individuals delivering training to support courses available at no cost to volunteer fire fighters receiving the training or to their respective departments.

**259.101(1)** Advisory committee. The fire marshal may establish a volunteer fire fighter training and equipment fund advisory committee of persons knowledgeable about the training and equipment needs of volunteer fire fighters and volunteer fire departments to advise on allocation of moneys from the volunteer fire fighter training and equipment fund, including the selection of recipients in competitive situations.

**259.101(2)** Reserved.

**661—259.102(17A,77GA,ch1222) Allocations.**

**259.102(1)** *Administrative allocation.* Each year, the fire marshal shall allocate a portion of the funds appropriated to the volunteer fire fighter training and equipment fund for administration of the fund, including personnel expenses. A portion of the administrative allocation shall be made available to the fire service training bureau to defray the cost of maintaining records of course attendance and completion by volunteer fire fighters and for related expenses.

**259.102(2)** *Allocation to fire service training bureau.* The fire marshal may allocate a portion of the moneys appropriated to the volunteer fire fighter training and equipment fund in any year to the fire service training bureau for the purpose of delivering training courses offered by the fire service training bureau to volunteer fire fighters at no cost to the volunteer fire fighters or their respective fire departments.

**259.102(3)** *Allocation for equipment purchases.* The fire marshal may allocate a portion of the moneys appropriated to the volunteer fire fighter training and equipment fund in any year to equipment purchases for volunteer fire departments. Awards of funding to volunteer fire departments for equipment purchases shall be on a competitive basis within guidelines published in an announcement of the availability of these funds.

**259.102(4)** *Allocation to community college consortium.* The fire marshal may allocate a portion of the moneys appropriated to the volunteer fire fighter training and equipment fund in any year to a consortium of community colleges to deliver training to volunteer fire fighters at no cost to the fire fighters receiving this training or to their respective fire departments. These funds shall be administered in accordance with an agreement entered into between the department of public safety and community colleges pursuant to Iowa Code chapter 28E.

**661—259.103(17A,77GA,ch1222) Awards to private providers of training.** Funds appropriated each year to the volunteer fire fighter training and equipment fund which remain after the allocations set forth in rule 661—259.102(17A,77GA,ch1222) have been implemented shall be awarded on a competitive basis to private providers of training to provide training to volunteer fire fighters at no cost to the fire fighters receiving the training or to their respective fire departments.

**259.103(1) Funding requests.** Requests for funding of training courses instructed by private persons shall be submitted to the Volunteer Fire Fighter Training and Equipment Fund, Fire Marshal Division, Department of Public Safety, 217 East 7th, Des Moines, Iowa 50319, in a format specified by the fire marshal. Requests for funding in any state fiscal year must be received on or before July 15 following the beginning of the fiscal year on July 1.

EXCEPTION: If moneys which have been previously unexpended become available for additional training courses during the course of a fiscal year, notice shall be given to certified fire service instructors of the availability of these moneys. In this event, the deadline for receiving applications shall be as stated in the notice of availability.

**259.103(2) Instructor qualifications.** Any person instructing a training course paid for by the volunteer fire fighter training and equipment fund shall be certified as a fire service instructor by the fire service training bureau or another organization recognized by the National Board on Fire Service Professional Qualifications, P.O. Box 690632, Quincy, Massachusetts 02269, or the International Fire Service Accreditation Congress, 1700 W. Tyler, Oklahoma State University, Stillwater, Oklahoma 74078-8075.

EXCEPTION: A person who has applied to the fire service training bureau for certification as a fire service instructor I and who is actively pursuing such certification may instruct a training course paid for by the volunteer fire fighter training and equipment fund, provided that the instruction is delivered under the direct supervision of a person who is currently certified as a fire service instructor I by the fire service training bureau or by another organization recognized by the National Board on Fire Service Professional Qualifications or the International Fire Service Accreditation Congress.

**259.103(3) Course approval.** Each course paid for by the volunteer fire fighter training and equipment fund must have previously been approved by the fire service training bureau. Any person who is certified as a fire service instructor I or who is actively pursuing certification as a fire service instructor I should contact the fire service training bureau for information about the course approval process at the following address: Fire Service Training Bureau, 3100 Fire Service Rd., Ames, Iowa 50011-3100.

**259.103(4) Course availability.** Any course which is approved and funded from the volunteer fire fighter training and equipment fund must be available to any volunteer fire department in the state of Iowa.

**259.103(5) Notification.** Each person applying for moneys from the volunteer fire fighter training and equipment fund for delivery of training to volunteer fire fighters shall receive notification indicating whether the request has been approved or denied. Any approval of a request for funding is contingent upon the execution of a contract between the department of public safety and the provider of the proposed training course or courses setting out specific terms and conditions for the delivery of the proposed course or courses. Any person whose request for funding is denied may appeal that decision to the commissioner of public safety by filing a written notice of appeal within 14 calendar days of the date on which the notice indicating denial of the request is dated. Appeals of denials of funding shall be treated as contested cases and processed according to the procedures set out in rules 661—10.301(17A) through 661—10.332(17A).

These rules are intended to implement 1998 Iowa Acts, chapter 1222, section 19(8).

**661—259.104(100B) Paul Ryan memorial fire fighter safety training fund.** Funds collected from the sale of special fire fighter license plates and deposited to the Paul Ryan memorial fire fighter safety training fund shall be utilized by the fire service training bureau to defray the cost of training provided to any fire fighter currently employed by or serving as a volunteer with any fire department in Iowa. Application of these funds shall be limited to defraying the cost of training courses approved for reimbursement from the volunteer fire fighter training and equipment fund established in rule 661—259.101(17A,77GA,ch1222).

This rule is intended to implement Iowa Code Supplement section 100B.12.

**661—259.105(80GA,ch1175) Volunteer fire fighter preparedness fund.** Funds appropriated to the volunteer fire fighter preparedness fund pursuant to 2004 Iowa Acts, Senate File 2298, section 434, shall be utilized by the fire service training bureau to defray the cost of training provided to fire fighters currently serving as volunteers with any fire department in Iowa. Application of these funds shall be limited to defraying the cost of training courses approved for reimbursement from the volunteer fire fighter training and equipment fund established in rule 661—259.101(17A,77GA, ch1222).

This rule is intended to implement 2004 Iowa Acts, chapter 1175, section 434.

**661—259.106 to 259.200** Reserved.

DIVISION II  
FIRE FIGHTING EQUIPMENT REVOLVING LOAN FUND

**661—259.201(80GA,ch177) Fire fighting equipment revolving loan fund.** There is established in the fire service training bureau in the fire marshal division the fire fighting equipment revolving loan fund.

**661—259.202(80GA,ch177) Purpose and scope.** The fire fighting equipment revolving loan fund is established to assist local fire departments to complete purchase or repairs of equipment used in the performance of the departments' fire fighting duties, when the acquisition or repair of such equipment would be impractical in the absence of assistance from the fund. Each payment of funds from the fund to a local fire department shall be a loan awarded in compliance with rules 661—259.201(80GA,ch177) to 661—259.207(80GA, ch177), and shall be for the specific purpose established in a contract entered into between the department of public safety and either the local fire department receiving the funds; or the city, county, or township of which the fire department is a part; or another legal entity authorized to enter into legally binding commitments on behalf of the fire department.

**661—259.203(80GA,ch177) Definitions.** For purposes of rules 661—259.201(80GA,ch177) to 661—259.207(80GA, ch177), the following definitions apply:

“*Default*” or “*in default*” means that more than one payment on a loan is currently due.

“*Local fire department*” means a paid, volunteer, or combination fire protection service provided by a benefited fire district under Iowa Code chapter 357B or by a county, municipality or township, or a private corporate organization that has a valid contract to provide fire protection service for a benefited fire district, county, municipality, township or governmental agency. “Local fire department” does not include a military or private industrial fire department or service.

“*NFPA*” means the National Fire Protection Association, Batterymarch Park, Quincy, MA 02269. References to the form “NFPA xx,” where “xx” is a number, refer to the NFPA standard or pamphlet of the corresponding number.

“*PASS*” means personal alert safety system.

“*SCBA*” means self-contained breathing apparatus.

**661—259.204(80GA,ch177) Application process.**

**259.204(1) *Notice of availability of funds.*** Whenever funds are available for loans through the fire fighting equipment revolving loan fund, the department shall publish notice of the availability of those funds in the Iowa Administrative Bulletin and shall notify fire service organizations, including, but not limited to, the Iowa Firemen's Association, the Iowa Fire Chiefs Association, and the Iowa Association of Professional Fire Chiefs, of the availability of those funds, the procedure for applying for loans through the program, the deadline for applying for funds, and the provisions of rules 661—259.201(80GA,ch177) to 661—259.207(80GA, ch177). All local fire departments in Iowa known to the fire service training bureau shall receive notice by mail or, when available, electronic mail. In addition, notice of availability of funds and the application procedure shall be published on the department's Web site.

EXCEPTION: No separate notice of availability of funds shall be published in the Iowa Administrative Bulletin for the initial round of loan application and review. The schedule for the initial loan application and review process is as follows:

1. The application process officially opens on January 15, 2004;
2. The deadline for submitting applications to be considered in the initial round is March 1, 2004; and
3. The target date for the fire marshal to announce decisions regarding the first round of applications is April 1, 2004.

**259.204(2) *Application.*** Application for a loan from the fire fighting equipment revolving loan fund shall be made on an application form provided by the fire service training bureau. A completed application shall be submitted to the fire service training bureau by the deadline specified in the notice of availability of public funds and shall include any attached materials required in the instructions provided with the application form.

*a.* An application form shall be completed by the local fire department. The application shall include contact information, loan amount requested, purpose of the loan, statement of need, and current financial information, and any additional information specified on the application form or accompanying instructions, and shall be signed by an official authorized to enter into contracts on behalf of the local fire department.

*b.* In addition to the application, the following information will be required prior to loan approval:

- (1) Documentation that the department requesting the loan meets the definition of a "local fire department."
- (2) Financial statements showing income, expenses, assets, liabilities, and sources of income for the department requesting the loan for a three-year period prior to the loan request date.
- (3) Verification that the match requirement will be met. A letter from the executive or chief financial officer of the agency funding the match requirement will normally be sufficient.
- (4) A copy of the contract, bid specifications, or proposal for purchase of the equipment/apparatus to be purchased with the loan proceeds, or repair work order, if applicable.

**259.204(3) *Loan application review.***

*a.* The fire marshal, or another staff member of the fire marshal division designated by the fire marshal, and the chief of the fire service training bureau, or another staff member of the fire service training bureau designated by the bureau chief, shall review each application for completeness and compliance with rules 661—259.201(80GA,ch177) to 661—259.207(80GA,ch177). The fire marshal may assign additional staff of the fire marshal division to review applications and may request assistance from other employees of the department of public safety in the review process.

b. The state fire service and emergency response council, or a subcommittee of the council established for this purpose, shall serve as an advisory committee to the fire marshal in the loan application review process, and shall recommend to the fire marshal funding, partial funding, or denial of each application. Recommendations regarding loan applications shall be based upon availability of funds in relation to the total funds requested by eligible applicants, documentation of need for the proposed purchase or repair, and documentation of likely ability of the local fire department applying for a loan to repay the loan.

c. Decisions to award or not to award loans shall be made by the fire marshal.

**259.204(4) Appeals.** If a local fire department's application is denied or partially funded by the fire marshal, the department may appeal the decision of the fire marshal to the commissioner of public safety using procedures for appeals set out in 661—Chapter 10.

**661—259.205(80GA,ch177) Allowable acquisitions.** Loans from the fire fighting equipment revolving loan fund may be used to acquire the following equipment or repair services with the limitations indicated:

1. Fire fighting apparatus, including pumpers, tankers, ladder trucks, hazardous materials emergency response vehicles, or rescue vehicles. Any apparatus obtained with loan funds must comply with applicable NFPA standards, as identified by the fire marshal. Loans in this category may be awarded in amounts between \$25,000 and \$150,000.

2. Personal protective equipment and communications equipment, including personal protective clothing (structural and wild land) that includes helmets, coats, boots, pants, eye protection, gloves, and protective hoods; SCBA with integrated PASS devices; and radio communications devices. Radio communications devices obtained with loan funds must be interoperable with equipment utilized by agencies with which the agency obtaining the equipment has mutual aid agreements, if such interoperable equipment is available. Equipment obtained must comply with applicable NFPA standards, as identified by the fire marshal. Loans for purchase in this category are limited to amounts between \$10,000 and \$50,000.

3. Repairs made to apparatuses identified in paragraph "1." Loans in this category are limited to amounts between \$10,000 and \$50,000.

4. Purchase of accessory equipment, including fire suppression equipment such as hoses, ladders, small fireground tools, ventilation equipment, or vehicle extrication and rescue equipment. Equipment obtained with loan funds must comply with applicable NFPA standards, as identified by the fire marshal. Loans in this category are limited to amounts between \$10,000 and \$50,000.

5. The fire marshal, acting on the advice of the fire service and emergency response council, may establish priorities for funding through the revolving loan fund. If such priorities are established, they will be included in the notice of availability of funds and shall be utilized only if the total amount of funding requested exceeds the total of funds available to loan.

**661—259.206(80GA,ch177) Eligibility requirements and restrictions.**

**259.206(1)** Any local fire department in the state of Iowa is eligible to apply for a loan.

**259.206(2)** Loan applicants shall be required to provide a 10 percent match.

**259.206(3)** All successful loan applicants shall comply fully with the fire incident reporting requirements of the fire marshal division.

**259.206(4)** No loan shall be made to a local fire department serving a population in excess of 30,000 people which will result in excess of 50 percent of the total funds loaned at any given time being loaned to local fire departments serving populations in excess of 30,000 people, unless the fire marshal finds that there are no eligible applications pending from local fire departments serving populations of 30,000 people or less.

**259.206(5)** Following approval, loan funds will be provided only after the local fire department receiving the loan submits documentation showing that the department has either acquired, contracted for, or issued a purchase order for the equipment. Disbursement of the loan shall be in the form of a warrant payable either to the local fire department and the vendor or vendors supplying the equipment or repair services, or solely to the vendor or vendors, or, with the approval of the fire marshal, solely to the local fire department receiving the loan.

**259.206(6)** A local fire department is eligible for only one loan during any five-year period or for the duration of an existing loan from this program, whichever is longer.

**259.206(7)** A local fire department that has been in default on a loan is not eligible for additional loans through this program for a period of two years beyond the time specified in subrule 259.206(6). Any prior history of defaulting on a loan from the revolving loan fund will be taken into account in evaluating a department's ability to repay a loan, pursuant to subrule 259.204(3), paragraph "b."

**259.206(8)** A local fire department receiving a loan is subject to a financial audit and any operational or program audits necessary to verify compliance with any requirements or conditions of the loan.

**661—259.207(80GA,ch177) Loan origination fee and repayment schedule.**

**259.207(1)** Each approved loan shall carry an origination fee of 1 percent of the loan amount, which shall be withheld by the fire service training bureau from the original payout of the loan.

**259.207(2)** A repayment schedule for each loan shall be established at the time the loan is awarded, with a minimum of two payments per year for the duration of the loan. Generally, loans of \$50,000 or less shall be repaid within a five-year period, and loans of more than \$50,000 shall be repaid within a ten-year period, although the fire marshal may allow variations for good cause. There will be no penalty for early payment. Each payment shall be by warrant, check, or money order made payable to Fire Service Training Bureau, Iowa Department of Public Safety, and shall be clearly marked "Repayment of Loan from Fire Fighting Equipment Revolving Loan Fund."

**259.207(3)** During any period when a loan is in default, there shall be a penalty of 1.5 percent of the remaining unpaid principal of the loan per month added to the amount of the loan.

These rules are intended to implement 2003 Iowa Acts, chapter 177, section 11.

**661—259.208 to 259.300 Reserved.**

DIVISION III  
REGIONAL TRAINING FACILITY FUNDS

**661—259.301(80GA,ch177) Regional training facility funds.** 2003 Iowa Acts, chapter 177, section 11, subsection 2, appropriated \$50,000 for the "planning, design, and construction of regional training facilities in the state." This rule establishes the criteria and procedures for allocation of those funds. A training center is a location or facility where formal fire service training and educational activities take place. Training centers may consist of the following fixed facilities:

- Administrative offices
- Classrooms and laboratories
- Student support facilities (cafeteria, dressing and locker areas, storage)
- Burn building
- Smokehouse
- Drill tower
- Skills building
- Training pads with specialized training props
- Maintenance facilities

**259.301(1) Use of funds.** The funds shall be allocated for the following purposes, in priority order:

*a.* Development of a detailed plan, based on the existing fire service training bureau facilities plan and approval of the fire service training bureau.

*b.* A portion of the construction costs for a regional training center, the design of which is based on the existing fire service training bureau facilities plan and approval of the fire service training bureau.

*c.* To refurbish an existing training center to meet the provisions of the existing fire service training bureau facilities plan, with the approval of the fire service training bureau.

*d.* Development and construction of training props to be used in a training center in compliance with the fire service training bureau facilities plan and with approval of the fire service training bureau.

A copy of the fire service training bureau facilities plan may be requested from the Fire Service Training Bureau, 3100 Fire Service Road, Ames, Iowa 50011, by telephone at 1-888-469-2374, or electronic mail at [fstbinfo@dps.state.ia.us](mailto:fstbinfo@dps.state.ia.us).

**259.301(2) Minimum criteria.** In order for an applicant to qualify for funding, all of the following criteria, as applicable, must be met:

*a.* The regional training center must be available for the purpose of fire service training to fire service personnel from the region in which the center is located and for training provided through the auspices of the fire service training bureau.

*b.* The regional training center design must meet the minimum “live fire” training elements outlined in NFPA 1001, 2002 edition, Chapter 5 (as identified for fire fighter I standards).

*c.* An organization that requests funding must agree to comply with applicable fire reporting requirements of the division of the state fire marshal.

*d.* The requested funding must be for a project for which the planning process had commenced by January 1, 2004.

**259.301(3) Application process.** An organization that wishes to apply for funds shall submit the following:

*a.* A letter of application explaining the funding requested and the primary purpose of the requested funding.

*b.* A detailed plan for the use of the funds requested.

*c.* Documents demonstrating compliance with the existing fire service training bureau facilities plan and the approval of the fire service training bureau for the planned facility.

*d.* A document that identifies the region of the state to be served, with a list of organizations that plan to participate in training offered at the planned facility.

*e.* Endorsement letters from the participating organizations identified within the region.

*f.* A plan for the sharing of the facility and related resources.

**259.301(4) Review of applications and distribution of funds.**

*a.* The state fire service and emergency response council, or a committee of the council, shall review the applications and recommend funding or not funding each to the fire marshal and the chief of the fire service training bureau.

*b.* Funds shall be equally distributed to qualified applicants.

*c.* Awards shall be made by the fire marshal. Any applicant that is denied funding may appeal the decision to the commissioner as a request for a contested case pursuant to rule 661—10.301(17A).

*d.* The fire service training bureau will audit all use of funds and compliance with all terms of the award of any moneys for regional training centers. Assistance may be provided by the finance bureau of the department of public safety.

This rule is intended to implement 2003 Iowa Acts, chapter 177, section 11.

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CHAPTERS 260 to 290

Reserved